

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ANNIE BELL LAMBERT,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 1:08-cv-80-MEF
)	
WINN-DIXIE STORES, INC.,)	Formerly in the Circuit Court of
)	Houston County, AL.
Defendant.)	Case No. 08-900008-L

**PLAINTIFF'S RESPONSE TO DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT**

COMES NOW, the Plaintiff, by and through her counsel of record, and requests this Court DENY Defendant's Motion for Summary Judgment on the grounds that Defendant's request is not warranted. This response is based on the evidentiary material demonstrating a genuine issue of material fact for trial contained in the pleadings filed to date, as well as Plaintiff's Brief In Opposition To Defendant's Motion For Summary Judgment and exhibits attached thereto, filed contemporaneously herewith.

**COCHRAN, CHERRY, GIVENS,
SMITH, LANE & TAYLOR, P.C.**

/s/ Jake A. Norton
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CERTIFICATE OF SERVICE

I hereby certify that I have this 4th day of August, 2008, served a copy of the foregoing upon counsel of record by filing the same with the Clerk of Court via CM/ECF or by U.S. MAIL, postage prepaid:

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Of Counsel